

**REMARKS**

Claim 1, 2 and 4-18 are pending in the present application. Claims 1 and 15 have been amended, claims 13 and 16 have been canceled and claim 18 has been added. Reconsideration of this application, in view of the following remarks is respectfully requested.

**Rejection Under 35 U.S.C. § 103**

Claims 1, 2 and 4-17 stand rejected under 35 U.S.C. d§ 103(a) as being unpatentable over Pang et al., USPN 6,578,188 in view of Gosh et al., USPN 6,741,265. This rejection is respectfully traversed.

The present invention is directed to a method for providing data-processing service. Independent claim 1 recites a combination of steps including the recitation "said application program converting the primary data having a first form to secondary data having a second form different from the first form." Independent claim 15 recites a combination of steps including the recitation "wherein the primary data is compatible with a first software program and the secondary data is compatible with a second software program different from the first software program." The Examiner appears to recognize that the Pang et al. reference fails to disclose these aspects of the present invention; however, the Examiner relies on the Gosh et al. reference to modify Pang et al. to arrive at the presently claimed invention. Applicants respectfully submit that the Gosh et al. reference fails to make up for the deficiencies of Pang et al.

Referring to the Pang et al. reference, this reference discloses a simulation server that allows a mask image to be uploaded via the Internet from a client site. Referring to column 27, first paragraph of Pang et al., the simulation server "outputs results in the form of simulations,

one-dimensional plots, or reports.” There is no indication in the Pang et al. reference that the data in the mask image file is converted into data having a different form as in the present invention. In Pang et al., the mask image file is merely used to run a simulation or to generate a one-dimensional plot or a report on the defects in the mask image file. In view of this, Applicants submit that the mask image file of Pang et al. is not converted into a different form as in the present invention but is merely used to run a simulation or generate a report.

In the Examiner’s Office Action, the Examiner asserts that Pang et al. discloses primary data in the form of a mask image being converted into secondary data in the form of a simulation image. However, the Examiner then states “Pang [et al.] fails to disclose having a second form different from the first form.” This comment from the Examiner is not understood, since it appears to be contradictory to the Examiner’s first statement that the simulation image is secondary data. In any event, Applicants submit that the Pang et al. reference fails to disclose converting primary data into secondary data for the above-mentioned reasons. If the Examiner believes otherwise, then clarification is requested.

With regard to the Gosh et al. reference, the Examiner asserts that this reference discloses converting primary data into secondary data as recited in claim 1 and primary and secondary data that are compatible with first and second software programs, respectively, as recited in claim 15. Applicants do not agree with the Examiner’s position. Gosh et al. discloses a network-based design system that enables a product to be designed with input from numerous parties. However, there is no indication in Gosh et al. that the central processing unit does anything other than allow a design program to be executed by the various parties independently. Therefore,

Applicants submit that the Gosh et al. reference is similar to Pang et al. in that there is no conversion of data occurring in the central processing unit.

Referring to column 5, lines 25-41 of Gosh et al., it is disclosed that a mold for making a product can be designed in the network-based design system. However, this mold design is simply the use of, for example, a CAD, CAE or CAM software in the central processing unit by multiple parties. There is no indication that the data generated for one of the CAD, CAE or CAM software programs is converted into a different form to be used by another one of the CAD, CAE or CAM software programs as would be necessary to meet independent claims 1 or 15 of the present invention.

Referring to column 8, lines 36-53 of Gosh et al., it is clearly disclosed that the network-based design system can be used to create a mold. In addition, it is stated “[t]ransfer of the mold design can be performed by any appropriate process, such as but not limited to, from a computer-aided design in the network based design system to an associated computer-numerical control (CNC).” However, this portion of Gosh et al. does not specifically disclose that the data generated in the central processing unit (mold design data that is compatible with one of CAD, CAE or CAM software programs) is “converted” into a different form within the central processing unit itself. This portion of Gosh et al. merely indicates that the data generated in the central processing unit can be “transferred” to a CNC machine for execution.

In the Examiner’s Office Action dated October 25, 2005, the Examiner states the following:

In response to Applicant’s argument that Pang and Gosh do not teach “wherein the primary data is compatible with first software program...”, Examiner respectfully disagrees, Gosh discloses the primary data is compatible with a first software program (col 3, lines 30-43, product design input is analyzed by

analytical tools) and the secondary data is compatible with a second software program different from the first software program (col 7, lines 34-45, Design model is generated by using CAD software). It would have been obvious to one of ordinary skill in the art at the time of the invention is made to combine the teachings of Pang and Gosh. The motivation would have been to build a near real time network based product design system where information about the product design can be communicated between the parties.

In response to Applicant's argument, Pang does not disclose, a second form is different from the first form. Examiner respectfully disagrees, Pang disclose first form (mask image is first form of data representation, col 5, lines 14-15) to secondary data (simulation image is generated by the simulation software which is another form, col 5, lines 23-27, 915, 995 Fig. 9). Gosh expressly teaches a second form different from the first form (product design is generated website software, col 7, lines 25-29, provide design input about the product design and model generated by CAD software based on the product design input, col 7, lines 34-43 and col 5, lines 1-14, mold design). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Pang and Gosh. The motivation would have been to build a near real time network based product design system where information about the product design can be communicated between the parties.

In response to Applicant's argument that there is no suggestion to combine the references, the Examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *in re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Gosh discloses the primary data is compatible with a first software program (col 3, lines 30-43, product design input is analyzed by analytical tools) and the secondary data is compatible with a second software program different from the first software program (col 7, lines 34-45, Design model is generated by using CAD software). It would have been obvious to one of ordinary skill in the art at the time of the invention is made to combine the teachings of Pang and Gosh. The motivation would have been to build a near real time network based product design system where information about the product design can be communicated between the parties.

While not conceding to the appropriateness of the Examiner's rejection, but merely to expedite prosecution of the present application, independent claims 1 and 15 have been amended to include the subject matter of dependent claims 13 and 16, respectively. Claims 13 and 16

have been canceled. Independent claims 1 and 15 now require the recitation “wherein the primary data is product design data and the secondary data is mold design data, wherein the product design data is converted by the application program into mold design data to design a mold for making a product designed with the product design data.” Applicants respectfully submit that the references relied on by the Examiner clearly fail to disclose this aspect of the present invention.

In particular, referring to Pang et al., this reference is directed to integrated circuit manufacturing. Pang et al. is silent with regard to mold design data to design a mold for making a product designed with the product design data” as recited in independent claims 1 and 15 of the present invention.

With regard to the Gosh et al. reference, the Examiner relies on column 3, lines 30-43 to disclose primary data and column 7, lines 34-45 to disclose secondary data. However, these portions of Gosh et al. are describing the same invention. Specifically, column 3, lines 30-43 describe the use of “analytical tools,” while column 7, lines 34-45 describe the analytical tools as being CAE, CAM or CAD software. In view of this, Applicants disagree with the Examiner that the Gosh et al. reference discloses converting primary and secondary data as recited in the independent claims of the present invention. Gosh et al. merely discloses generation of a model in response to a design request. Therefore, there is only primary data that is usable with CAE, CAM or CAD software.

In addition, Applicants submit that there is no suggestion in the Gosh et al. reference to modify the Pang et al. reference to arrive at the present invention as now recited in independent

claims 1 and 15. In view of this, Applicants respectfully submit that the Examiner's rejection is improper and should be withdrawn.

With regard to dependent claims 2, 4-12, 14 and 17, Applicants respectfully submit that these claims are allowable due to their respective dependence upon allowable independent claims 1 and 15, as well as due to additional recitations in these claims.

In view of the above amendments and remarks, Applicants respectfully submit that claims 1, 2, 4-12, 13, 14 and 17 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the Examiner's rejection under 35 U.S.C. § 103 are respectfully requested.

#### **Additional Claims**

Additional Claim 18 has been added for the Examiner's consideration. Additional claim 18 is directed to subject matter that is generally the same as the subject matter previously presented in claims 15 and 17. However, the requirement that the uploading step be "via the Internet" has been removed.

Favorable consideration and allowance of additional claim 18 are respectfully requested.

**CONCLUSION**

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but merely to show the state-of-the-art, no further comments are deemed necessary with respect thereto.

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Paul C. Lewis, Registration No. 43,368 at (703) 205-8000 in the Washington, D.C. area.

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Respectfully submitted,

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